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FEB 28 2014

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK
BY *[Signature]*
DEPUTY

LAKE CHARLES DIVISION

NELSON RODRIGUEZ-DUARTE : DOCKET NO. 13-CV-2606

VS. : JUDGE TRIMBLE

ERIC HOLDER, ET AL : MAGISTRATE JUDGE KAY

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, an independent review of the record has led this court to conclude that the findings and conclusions are entirely correct. Accordingly, it is

ORDERED that respondent's Motion to Dismiss be GRANTED.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this 28th day of February, 2014.

[Signature]
JAMES T. TRIMBLE, S.R.
UNITED STATES DISTRICT JUDGE